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PTO/SB/2 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/340,165	
	Filing Date	June 28, 1999	
	First Named Inventor	Novak	
	Group Art Unit	1743	
	Examiner Name	Alexander	
Total Number of Pages in This Submission	16	Attorney Docket Number	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <i>Standard Non-Compliant Amend Copy of Amendment with Specification corrected</i>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	U.S. Army Materiel Command
Signature	William Randolph
Date	August 6, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 110

## Complete if Known

Application Number

Filing Date

First Named Inventor

Examiner Name

Group Art Unit

Attorney Docket No.

09/340,165

Novak

Alexander

1743

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number  
Deposit Account Name

19-2201

US Army Materiel Command

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)

Fee Code (\$)

Fee Description

Fee Paid

101 740

201 370

Utility filing fee

106 330

206 165

Design filing fee

107 510

207 255

Plant filing fee

108 740

208 370

Reissue filing fee

114 160

214 80

Provisional filing fee

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity

Small Entity

Fee Code (\$)

Fee Code (\$)

Fee Description

Fee Paid

Total Claims

-20\*\* =

X

Fee from below

Independent Claims

-3\*\* =

X

Fee Paid

Multiple Dependent

Fee Paid

Large Entity

Small Entity

Fee Code (\$)

Fee Code (\$)

Fee Description

103 18

203 9

Claims in excess of 20

102 84

202 42

Independent claims in excess of 3

104 280

204 140

Multiple dependent claim, if not paid

109 84

209 42

\*\* Reissue independent claims over original patent

110 18

210 9

\*\* Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)

Fee Code (\$)

Fee Description

Fee Paid

105 130

205 65

Surcharge - late filing fee or oath

127 50

227 25

Surcharge - late provisional filing fee or cover sheet

139 130

139 130

Non-English specification

147 2,520

147 2,520

For filing a request for *ex parte* reexamination

112 920\*

112 920\*

Requesting publication of SIR prior to Examiner action

113 1,840\*

113 1,840\*

Requesting publication of SIR after Examiner action

115 110

215 55

Extension for reply within first month

116 400

216 200

Extension for reply within second month

117 920

217 460

Extension for reply within third month

118 1,440

218 720

Extension for reply within fourth month

128 1,960

228 980

Extension for reply within fifth month

119 320

219 160

Notice of Appeal

120 320

220 160

Filing a brief in support of an appeal

121 280

221 140

Request for oral hearing

138 1,510

138 1,510

Petition to institute a public use proceeding

140 110

240 55

Petition to revive - unavoidable

141 1,280

241 640

Petition to revive - unintentional

142 1,280

242 640

Utility issue fee (or reissue)

143 460

243 230

Design issue fee

144 620

244 310

Plant issue fee

122 130

122 130

Petitions to the Commissioner

123 50

123 50

Processing fee under 37 CFR 1.17(q)

126 180

126 180

Submission of Information Disclosure Stmt

581 40

581 40

Recording each patent assignment per property (times number of properties)

146 740

246 370

Filing a submission after final rejection (37 CFR § 1.129(a))

149 740

249 370

For each additional invention to be examined (37 CFR § 1.129(b))

179 740

279 370

Request for Continued Examination (RCE)

169 900

169 900

Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

110

## SUBMITTED BY

Name (Print/Type)

William Randolph

Registration No. (Attorney/Agent)

28986

## Complete (if applicable)

Telephone

703 617-2555

Signature

William Randolph

Date

August 6, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NOVAK, Thaddeus J.

Serial Number: 09/340,165

Filing Date: June 28, 1999

Title: Microspot Test Kit And Method For Chemical Testing

Examiner: ALEXANDER, Lyle

Group Art Unit: 1743

TECHNOLOGY CENTER 1700

AUG - 9 2002

RECEIVED

RESPONSE TO LETTER REGARDING NON-COMPLIANT AMENDMENT

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

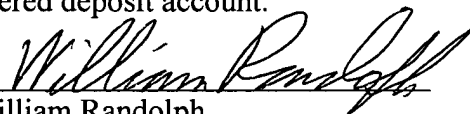
Applicant has petitioned the Commissioner of Patents and Trademarks to extend the time for response to the Notice Of Non-Compliant Amendment (37 C.F.R. 1.121) dated June 6, 2002 from July 6, 2002 to August 6, 2002.

It is noted that there was a substantial delay between the stamped date of the notice letter (June 6, 2002) and our actual receipt of the notice letter about one month later.

It is also that it took time to identify the error; the underlining of a reference to a co-pending U.S. Patent and a co-pending application. The substantive material, (i.e., the amended claims) appears to be in compliance with the regulations.

Please charge the fee for the Extension of Time and the Response to the Non-compliance Letter to the U.S. Army Materiel Command Patent Office deposit account number 19-2201 to cover any costs associated therewith. Any deficiency or overpayment should be charged or credited to this numbered deposit account.

August 6, 2002

  
William Randolph  
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Telephone (703) 617-2555



Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

TECHNOLOGY CENTER 1100

AUG - 9 2002

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### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 5/15/02 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000 and 1238 O.G. 77, Sept. 19, 2000).

- ☒ The amendment does not include a clean version of the replacement paragraph/section. 37 CFR 1.121(b)(1)(ii)
- ☐ The amendment does not include a marked-up version of the replacement paragraph/section 37 CFR 1.121(b)(1)(iii)
- ☐ The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i)
- ☐ The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii)

**For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").**

**Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121, effective March 1, 2001, in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 C.F.R. 1.136(a).**

Legal Instruments Examiner